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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IRENE AVILA-LOPEZ,

Plaintiff,

vs.

JAMES PAUL MOORE CHAVARRIA;
JHM EXPRESS; DOES I through X; ROE
CORPORATIONS I through X, inclusive,

Defendant.

CASE NO.:

**DEFENDANTS JAMES PAUL MOORE
CHAVARRIA AND JHM EXPRESS'
STATEMENT REGARDING REMOVAL**

Defendants, JAMES PAUL MOORE CHAVARRIA and JHM EXPRESS
("Defendants"), by and through their attorneys of record, ATKIN WINNER & SHERROD,
hereby submits the following Statement Regarding Removal in compliance with 28 U.S.C.
§1446.

1. *The date on which you were served with a copy of the Complaint in the removed
action:*

Response: November 2, 2017.

2. *The date on which you were served with a copy of the Summons in the removed
action:*

Response: November 2, 2017.

3. *In removals based on diversity jurisdiction, the names of any served defendants or
citizens of Nevada, the citizenship of the other parties and a summary of defendants' evidence of
the amount in controversy:*

1 Response: Removal is based upon diversity jurisdiction/citizenship and the amount in
2 controversy. Removal on these grounds is supported by the following:

3 Plaintiff's Citizenship: Upon information and belief, Plaintiff, according to her
4 complaint, is and was at all times relevant to this action a resident of Clark County, Nevada.

5 Defendants' Citizenship: Defendant James Paul Moore Chavarria is and was a resident
6 of Chatsworth, State of Georgia. Defendant JHM Express is a foreign company from the State of
7 Georgia and doing business in Clark County, Nevada. Accordingly, the Court has a subject
8 matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(c).

9 Damages: Plaintiff alleges that she sustained personal injuries, which were "permanent
10 and disabling," lost wages and earning capacity, as a result of the alleged accident with the
11 Defendants. A dispute has arisen as to how much Plaintiff should be compensated on her claims.
12 However, on information and belief, Defendants believe said injuries have caused or will cause
13 more than \$75,000.00 in total damages.

14 4. *If your Notice of Removal was filed more than 30 days after you received a copy*
15 *of the Summons and Complaint, the reason removal has taken place at this time and the date you*
16 *first received a paper identifying the basis for removal:*

17 Response: Not Applicable.

18 5. *In actions removed on the basis of the court's jurisdiction in which the action in*
19 *State Court was commenced more than a year before the date of removal, the reasons this action*
20 *should not summarily be remanded to the State Court.*

21 Response: Not applicable.

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1 6. *The name(s) of any defendant(s) known to have been served before you filed the*
2 *Notice of Removal who did not formerly join in the Notice of Removal and the reasons they did*
3 *not:*

4 Response: Not applicable.

5 DATED this 6th day of December, 2017.

7 ATKIN WINNER & SHERROD

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9 _____
10 TREVOR L. ATKIN
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12 VIRGINIA T. TOMOVA
13 Nevada Bar No. 12504
14 1117 South Rancho Drive
15 Las Vegas, Nevada 89102
16 Attorneys for James Paul Moore Chavarria and
17 JHM Express

ATKIN WINNER & SHERROD
A NEVADA LAW FIRM

CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of ATKIN WINNER & SHERROD and that on this 24th day of December, 2017, I did cause a true copy of **DEFENDANTS JAMES PAUL MOORE CHAVARRIA AND JHM EXPRESS' STATEMENT REGARDING REMOVAL** to be placed in the United States Mail, with first class postage prepaid thereon, and addressed as follows:

Ralph E. Porter
Ralph Porter and Associates, P.C.
525 S. Ninth St.
Las Vegas, NV 89101
Attorneys for Plaintiff


An employee of ATKIN WINNER & SHERROD

ATKIN WINNER & SHERROD
A NEVADA LAW FIRM